

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Rodney Lloyd Dockter,)	
)	
Plaintiff,)	ORDER FINDING AS MOOT
)	PLAINTIFF'S MOTION FOR
vs.)	RECONSIDERATION
)	
Deutsche Bank Nat'l Trust Co.,)	
Mackoff Kellogg Law Firm, and)	Case No. 1:08-cv-099
Sandra Kuntz,)	
)	
Defendants.)	

Before the Court is the Plaintiff's "Motion to Reconsider 1-12-09 Court Order by Chief Judge Daniel L. Hovland" filed on January 13, 2009. See Docket No. 7. On December 15, 2008, Magistrate Judge Charles S. Miller, Jr. entered a Report and Recommendation. See Docket No. 4. On January 12, 2009, the Court entered an Order Adopting Report and Recommendation. See Docket No. 5. Pursuant to the Order Adopting Report and Recommendation, the Plaintiff has twenty (20) days from January 12, 2009, to file an amended complaint. The Plaintiff requests that he "be given the original 20 days allotted time frame to file an amended complaint based on the recommendations of the report." See Docket No. 7. It appears that the Plaintiff mistakenly construes the Court's filings to mean that he had twenty (20) days from the date of the Report and Recommendation (December 15, 2008) to file an amended complaint. In actuality, the Plaintiff has twenty (20) days from the Order Adopting Report and Recommendation (January 12, 2009) to file an amended complaint. Therefore, the Court **FINDS AS MOOT** the Plaintiff's motion to reconsider (Docket No. 7). The Plaintiff shall have until Friday, February 6, 2009, to file an amended complaint.

IT IS SO ORDERED.

Dated this 13th day of January, 2009.

/s/ Daniel L. Hovland
 Daniel L. Hovland, Chief Judge
 United States District Court